

REMARKS/ARGUMENTS:

Claims 1-14 and 18-23 are presently pending; claim 23 has been allowed. Claims 1-8, 14, 18, 19, and 22 have been amended solely to expedite prosecution without prejudice or disclaimer. Accordingly, claims 1-14 and 18-23 will be pending upon entry of the instant amendments. *No new matter has been added.*

Amendment and/or cancellation of the claims during pendency of the application are not to be construed as acquiescence to any of the objections/rejections set forth in any Office Action, and were done solely to expedite prosecution of the application. Applicants submit that claims were not added or amended during prosecution of the instant application for reasons related to patentability. Applicants reserve the right to pursue the claims as originally filed, subsequently amended or added, or similar claims, in this or one or more subsequent applications.

Claim Rejections under 35 USC §112**Rejection of Claims 1-14 and 19-22 under 35 USC §112, Second Paragraph**

Claims 1-14 and 19-22 stand rejected under 35 USC §112, second paragraph. In particular, the Office Action suggests that claim 1 includes the term "prodrug thereof". Solely in order to expedite prosecution, Applicants have deleted this term from claim 1. Applicants have also deleted the term from claims 2-8, 18 and 19.

Claims 9-13 do not contain the term "prodrug thereof" so no amendments have been made. Applicants kindly request further explanation as to why these claims stand rejected.

Claims 18 and 22 also stand rejected under 35 USC §112, second paragraph. In particular, the Office Action suggests that claims 18 and 22 include the term "hyperproliferative disease" which has been suggested to be a broad limitation followed by the narrow limitation "such as cancer". Solely in order to expedite prosecution, Applicants have amended these claims to replace the phrase "hyperproliferative disease such as cancer" with "breast or colorectal cancer".

Claim 19 also stands rejected under 35 USC §112, second paragraph. In particular, the Office Action suggests that claim 19 has been rejected because it recites step (i) which is the step of "converting a compound of the formula (I) into another compound of the formula (I)." Solely in order to expedite prosecution, Applicants have deleted this step.

As such, Applicants respectfully request withdrawal of the rejection of claims 1-14 and 18-22 under 35 USC §112, second paragraph, and favorable reconsideration.

Rejection of Claims 18 and 22 under 35 USC §112, First Paragraph

Claims 18 and 22 also stand rejected under 35 USC §112, first paragraph. In particular, the Office Action suggests on page 4 that "...the specification, while being enabling for the treatment of colorectal cancer, does not reasonably provide enablement for the treatment of hyperproliferative diseases." Applicants respectfully disagree. However, solely to expedite prosecution, Applicants have amended claims 18 and 22 to refer to breast and colorectal cancer. Applicants note the Examiner's comments on colorectal cancer, but submit that breast cancer is clearly also enabled by virtue of the body of literature referred to in the application which links inhibition of aurora kinases to breast cancer. Applicants refer to the recitation on page 2 lines 9-11 of the application, which refers to both breast and colon cancers.

The Aurora-A gene maps to chromosome 20q13, a region that is frequently amplified in human tumours including both breast and colon tumours.

As such, Applicants respectfully request withdrawal of the rejection of claims 18 and 22 under 35 USC §112, first paragraph, and favorable reconsideration.

Specification

The application has been found to fail to comply with the requirements of 37 CFR 1.821 through 1.825 because it contains certain sequence disclosures at page 40. In order to comply with the sequence rules, Applicant encloses herewith a copy of the Sequence Listing in computer readable form and a statement confirming that the content of the sequence listing is identical to the written sequence.

Request for Phone Interview

Once the Examiner has had an opportunity to review the comments made herein, Applicants respectfully request a phone interview in order to discuss any final details that may help result in an allowance of the application with all pending claims.

CONCLUSION

With regard to the objections raised by the Examiner in the Office Action, Applicants note that the instant amendment makes moot all of the rejections/objections raised, and should therefore place the application in order for allowance. Accordingly, Applicants respectfully request favorable reconsideration and allowance of all pending claims. Passage of the instant application to issuance is earnestly solicited. As noted above, if a telephone conversation with Applicants' attorney would help to expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at the telephone number below.

No additional fees are believed due at this time; however, should any additional fees be required, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 101117-1P US.

Respectfully submitted,
/Jacob G. Weintraub/

Name: Jacob G. Weintraub, Esq.
Dated: June 26, 2009
Reg. No.: 56,469
Phone No.: 781 839 4182
Global Intellectual Property, Patents,
AstraZeneca R&D Boston,
35, Gatehouse Drive,
Waltham,
MA 02451